

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

REYNALDO GAMBOA,

Plaintiff,

vs.

E.K. McDANIEL, *et al.*,

Defendants.

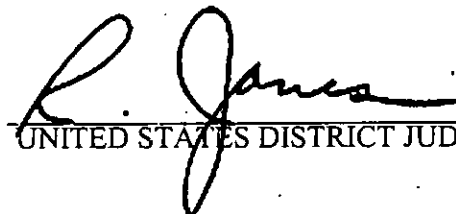
3:10-cv-0217-RCJ-RAM

**ORDER**

Plaintiff, who is a Nevada inmate submitted a Civil Rights Complaint Pursuant to 42 U.S.C. § 1983 which was dismissed with leave to amend (docket #15). The amended complaint was due to be filed on or before December 1, 2010. That deadline has passed and no amendment has been filed. The complaint shall be dismissed for failure to state a claim and this dismissal shall constitute a second strike under 28 U.S.C. § 1915.

**IT IS THEREFORE ORDERED** that plaintiff's Complaint is **DISMISSED** with **PREJUDICE**. The Clerk shall enter judgment accordingly.

DATED: December 29, 2010

  
UNITED STATES DISTRICT JUDGE